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Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women
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Item 4 of the provisional agenda*
Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

List of issues and questions in relation to the sixth periodic report of the Czech Republic

Data collection

1. Please state the specific measures that have been adopted to address the lack of gender-specific statistical data in the sixth periodic report (CEDAW/C/CZE/6) with a view to fully understanding the impact of legal and policy measures aimed at addressing gender-based discrimination in the State party. Specifically, what measures have been taken to address the problem of lack of gender-sensitive data in relation to domestic and sexual violence (paras. 22 and 43)?[1]

Access to justice

2. It is indicated in paragraphs 181 and 182 of the report that the State party is preparing a legislative proposal for the compensation of women who were "wrongfully sterilized" and that the draft act envisages a comprehensive compensation scheme so that victims no longer need to bring a civil action against the health-care facilities where the coercive sterilizations were conducted. Please provide information on the progress made to adopt the said act. Please also provide information on the nature of compensation and/or other remedies envisaged in the act. Please also provide information on the measures being taken to reduce the length of maintenance and alimony proceedings (see CEDAW/C/CZE/CO/5, para. 22). Please provide information on measures taken to provide legal assistance to women to facilitate access to justice, considering the low number of cases on sex-

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* CEDAW/C/63/1.

[1] Unless otherwise indicated, paragraph numbers refer to the sixth periodic report of the State party.

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based discrimination in various fields such as labour. Please provide an update on the progress made to bring into force the Act on State-Guaranteed Legal Assistance (para. 41). Please also provide an update on the challenges and achievements in the implementation of Act No. 292/2013 Coll., the Special Court Proceedings that entered into force on 1 January 2014, which regulates civil proceedings in the area of domestic violence (para. 48).

National machinery for the advancement of women

3. The Committee, in its previous concluding observations (CEDAW/C/CZE/CO/5, para. 16), noted the various changes in the national institutional gender equality structure and expressed concern that the discontinuance of the position of the Minister for Human Rights and National Minorities might have weakened the State party's institutional machinery for the advancement of women. The Committee also expressed concern at reports about the weak inspection mandate and the inadequate human and financial resources of the Gender Equality Unit. In paragraph 15 of the report, it is indicated that the mandate has changed at least four times. Please provide information on the impact of the changes on the implementation of programmes for the advancement of women's rights in the State party. Please also provide information on the resourcing of the Gender Equality Unit, which provides methodological and coordination support to gender focal points assigned to each ministry (para. 25). Please clarify which specific institution is in charge of monitoring the implementation of rights under the Convention.

Temporary special measures

4. The Committee, in its previous concluding observations (CEDAW/C/CZE/CO/5, para. 18), noted the lack of temporary special measures to enhance the participation of women in political and public life and in the labour market. In paragraph 87 of the report, it is stated that a draft amendment to the electoral laws aimed at enhancing women's participation in politics has been prepared. Please provide an update on the measures taken to adopt the amendment. Please also state the specific measures being taken to address the lack of the application of "positive measures for appointments to decision-making positions" by various ministries, which can contribute towards achieving women's de facto equality in the State party (para. 89). Please state the temporary special measures in place aimed at addressing the inequality experienced by disadvantaged groups of women, in particular Roma women. What measures are envisaged to adopt prescriptive temporary special measures, including the use of quotas, to promote the de facto participation of women in political and public life, including in the private sector, in line with the Committee's general recommendation No. 25 on temporary special measures?

Stereotypes and harmful practices

5. The Committee, in its previous concluding observations (CEDAW/C/CZE/CO/5, para. 20), expressed concern regarding the persistence of patriarchal attitudes and stereotypes regarding the roles of women and men in the family and in society, notwithstanding the efforts undertaken by the State party to eradicate them. Please provide information on measures to address sexist and discriminatory advertising (paras. 92 and 93). Please provide information on the measures taken to eliminate gender stereotypes reflected in discriminatory attitudes of employers who frequently reject women candidates on account of their actual or potential motherhood.

Violence against women

6. It is acknowledged in the report that domestic violence remains a widespread serious social phenomenon and that the National Action Plan for the Prevention of Domestic Violence for the period 2011-2014 provides a systemic and comprehensive solution to the issue (para. 43). Please provide information on the challenges and achievements in the implementation of the National Action Plan. What progress has been achieved in effectively preventing and prosecuting acts of domestic and sexual violence and in assisting women who are victims of such violence, including by increasing the number of shelters and strengthening cooperation with non-governmental organizations providing assistance to such victims (see CEDAW/C/CZE/CO/5, para. 23)? Please indicate whether marital rape is criminalized in the State party.

7. The Committee, in its previous concluding observations (ibid., para. 22), expressed its concern regarding the underreporting of domestic violence and rape, as well as the lenient sentences meted out by the courts. Please provide information on the specific measures taken to address underreporting of cases of violence against women and ensure that sentences are commensurate with the gravity of the offences committed. In the light of the Committee's previous concluding observations (ibid., para. 23), please explain how the definition of the crime of rape as interpreted by the Supreme Court in Decision No. 7 Tdo 995/2010 of 1 September 2010 incorporates the element of a "non-consensual sexual act, including in the absence of resistance by the victim" (paras. 73 and 74).

8. According to paragraph 44 of the report, the State party intends to sign and ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence. Please provide information on the time frame for signature and ratification. Please also provide information on measures taken to prohibit and punish corporal punishment of girls and boys in every setting in the State party.

Trafficking and exploitation of prostitution

9. It is acknowledged in the report that the State party remains a source, transit and destination country for trafficking for purposes of sexual and labour exploitation (para. 106). Please explain the challenges and achievements in the implementation of the National Strategy for Combating Human Trafficking for the period 2012-2015, which was approved on 18 April 2012. Please indicate the measures taken to fill the gaps in the identification of victims of trafficking and the exclusion from the Programme of Support and Protection of Human Trafficking Victims of those who are unable or unwilling to cooperate with prosecution authorities, in the light of the Committee's previous concluding observations (CEDAW/C/CZE/CO/5, para. 24). Specifically, what measures have been taken to address the vulnerability of Roma and migrant women and girls to trafficking for purposes of forced prostitution and forced labour? Please provide information on specific measures taken to promote international cooperation with other States and organizations in efforts to combat trafficking in human beings, especially involving women and girls.

10. It is stated in the report that, on 18 June 2014, the State party undertook the first reading of the bill on the regulation of prostitution and the proposal was forwarded to the Petitions Committee (para. 114). Please provide additional

information on the areas that the law will address and its current status. What specific measures have been adopted to protect women engaged in prostitution against sexual exploitation, in particular by tourists who visit the country for sexual services, in line with international guidelines (para. 112)? Please provide data on women engaged in prostitution and clarify how the regulation of prostitution in the State party complies with the protection of women and girls under the Convention. Furthermore, what measures are in place to protect girls from child pornography?

Participation in political and public life

11. It is acknowledged in the report that the representation of women in politics and decision-making positions remains low and that in 2013 an initiative entitled "Strategy + 1" was approved as a measure to remove barriers and create conditions for equal representation of women and men in decision-making positions until a 40 per cent share is achieved (para. 118). Please provide information on the achievements in the implementation of the "Strategy + 1" since its approval in 2013. Please state the measures being taken to address the downward trend noted in 2013 in the representation of women on candidate lists in comparison with previous election years and how such measures are being enforced (para. 119).

12. Please also state the measures being taken to address the "high degree of vertical segregation by gender" in decision-making positions within the public administration (para. 123), the underrepresentation of women at the ministerial level and the concentration of women in district and regional courts (para. 125). What steps have been taken to improve the representation of Roma women at all levels of decision-making, including in Parliament and regional and local assemblies (see CEDAW/C/CZE/CO/5, para. 26)?

13. It is indicated in the report that, although women make up the majority of graduates from universities, they remain significantly underrepresented in the management of companies (para. 129). Please provide information on further steps being taken to intensify efforts to ensure the equal representation of women in decision-making bodies with regard to the private sphere of life, following the adoption of a resolution on 26 August 2014 on improving the representation of women in corporate management (para. 128).

Education

14. Please provide information on measures taken to overcome "the relatively high degree of vertical and horizontal gender segregation" at every level of the education system (para. 131). Please provide information on the specific measures being taken to address the concentration of women teachers in kindergarten and primary education and the fact that men are more often than women engaged in management positions (para. 132). What steps are being taken to address the concentration of women in traditional subjects and its effect on occupational segregation in employment (para. 133)? Furthermore, please provide information on measures taken to improve the representation of women in decision-making positions in research institutions, sciences and other fields of innovation (para. 137).

15. The Committee, in its previous concluding observations (CEDAW/C/CZE/CO/5, para. 28), expressed concern at the disproportionately high number of Roma girls who dropped out of school or failed to attend school, especially in socially excluded areas, and at the segregation of many Roma girls in schools for pupils with mild

mental disabilities. Please provide information on specific measures taken to address the high dropout rates and to implement the National Action Plan on Inclusive Education in order to curb the segregation of Roma girls and boys. Please also provide information on measures taken to include in school curricula mandatory age-appropriate education on sexual and reproductive health rights, including responsible sexual behaviour. Please provide information on the implementation of any existing programmes on health and life skills.

Employment

16. It is indicated in the report that the gender wage gap in the State party in 2011 was 21.6 per cent, in a decrease from 25.5 per cent in 2010. Please provide specific information on the full range of measures being taken to close the gender wage gap and to address the "vertical segregation in the labour market" (paras. 145 and 169). It is further acknowledged in the report that the authorities, in particular the National Labour Inspectorate, lack sufficient material and human resources to conduct investigations into discrimination in the labour market (para. 84). What measures are envisaged to ensure women's access to full-time and part-time employment in order to ensure career progression? What measures are being taken to improve the capacity of the National Labour Inspectorate to undertake its work of curbing sex-based discrimination in the labour market? Please provide an update on the progress of the research that the State party has been conducting with the aim of determining whether the setting of weight limits for the handling of heavy objects is discriminatory against women (para. 99).

17. Please provide data on the percentage of women with childcare responsibilities who use flexible working arrangements under the Labour Code in order to balance work and family life (para. 104). Furthermore, what steps are being taken to ensure that men are actively involved in caring for their children so that there is shared responsibility in childcare between women and men (para. 150)? What measures have been taken to adopt a comprehensive policy that facilitates women's employment by integrating access to childcare facilities?

Health

18. It is indicated in the report that the State party incorporated into Act No. 373/2011 Coll., on Specific Health Services, a detailed regulation on patients' consent with regard to informed consent on sterilization by prescribing a 7-day or 14-day period between the provision of information about the procedure and the granting of consent, depending upon the reasons (para. 184). Please state the nature of information available to women regarding the circumstances under which a sterilization procedure can be performed and other options available to them. Please explain how the Act regulates informed consent when sterilizations are performed during medical emergencies, in particular during delivery by caesarean section. Please also provide information on measures taken to address reports about women's limited options to deliver their babies outside hospitals by skilled birth attendants who are properly trained in the management of childbirth (see CEDAW/C/CZE/CO/5, para. 36). Please indicate whether there is a law that comprehensively protects the rights of hospital patients, in particular women and girls. Please also provide information on the measures taken to ensure access to health services by disadvantaged groups of women and the extent to which those disadvantaged groups, especially Roma women, have been affected by forced sterilizations.

Disadvantaged groups of women

19. It is stated in the report that Roma and migrant women are vulnerable to multiple forms of discrimination in the State party (para. 154). Please indicate the specific measures that are in place to address the multiple forms of discrimination that Roma and migrant women face, in particular in the fields of health, education and labour. Please provide information on existing policies on the integration of Roma women and girls in society and the progress achieved in their implementation. What measures have been taken to address cases of hate speech targeting Roma women and girls?

Rural women

20. It is acknowledged in the report that the rate of unemployment of women in rural areas is persistently higher than that of women in urban areas; in 2011 it was registered at 11.2 per cent in rural areas against 10.1 per cent in urban areas (para. 198). Please provide information on the specific interventions envisaged by the State party to reduce unemployment of women in rural areas. What measures are in place to promote the participation of rural women in the formulation and implementation of policy on rural development? Please also provide information on existing programmes on rural development, including rural women's access to credit and loan facilities.

Marriage and family relations

21. In paragraph 203 of the report, it is stated that marriage in the State party has been on a long-term downward trend. Please provide information on the economic consequences of divorce on women in the State party and the extent to which the Committee's recommendations in general recommendation No. 29 on article 16 of the Convention (economic consequences of marriage, family relations and their dissolution) have been implemented in the State party.